

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>ANGELA BAIN-SILVA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 3:08-cv-99</b>
	)	
<b>TENNESSEE DEPARTMENT OF SAFETY;</b>	)	<b>Judge Thomas A. Wiseman, Jr.</b>
<b>COMMISSIONER OF SAFETY DAVID MITCHELL,</b>	)	
<b>in his official and individual capacity;</b>	)	
<b>COLONEL MIKE WALKER, of the Tennessee</b>	)	
<b>Highway Patrol, in his official and individual</b>	)	
<b>capacity; MAJOR JOHN SAVAGE, of the</b>	)	
<b>Tennessee Highway Patrol, in his official</b>	)	
<b>and individual capacity; LIEUTENANT</b>	)	
<b>BETTY BLAIR, of the Tennessee Highway</b>	)	
<b>Patrol, in her official and individual capacity;</b>	)	
<b>LIEUTENANT TANYA HUNT, of the Tennessee</b>	)	
<b>Highway Patrol, in her official and individual</b>	)	
<b>capacity; and LIEUTENANT COLONEL</b>	)	
<b>TRACY TROTT, of the Tennessee Highway</b>	)	
<b>Patrol, in his official and individual capacity,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

Plaintiff Angela Bain-Silva filed this action in January 2008 against the Tennessee Department of Safety, Commissioner of Safety David Mitchell in his individual and official capacities, and various officers with the Tennessee Highway Patrol in their individual and representative capacities. Plaintiff asserts causes of action under 42 U.S.C. §§ 1983 and 1985, alleging that she was disciplined and ultimately fired in retaliation for exercising her rights under the First Amendment to the United States Constitution, and that her termination violated her rights under the Equal Protection Clause of the Fourteenth Amendment. Now before the Court is the Defendants' joint Motion for Summary Judgment (Doc. No. 23), in which they argue that they are entitled to judgment as a matter of law based upon the undisputed facts.

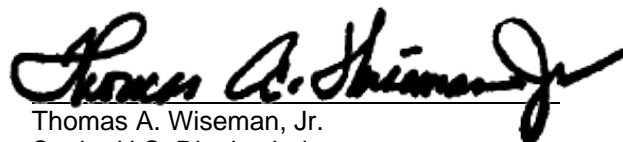
For the reasons explained in the accompanying Memorandum Opinion, the Court finds that Defendants are entitled to judgment in their favor as a matter of law on their claims under §§ 1983 and 1985 on the basis that (1) Plaintiff has failed to establish a causal relationship between any activity protected by the First Amendment and the adverse action taken against her; (2) because Plaintiff has not

established a constitutional violation, she cannot prove a conspiracy to violate her constitutional rights; and (3) she has not established a *prima facie* claim of sex discrimination in violation of her Equal Protection rights. Plaintiff has expressly abandoned her Due Process claim.

Accordingly, Defendants' Motion for Summary Judgment is hereby **GRANTED**. This matter is **DISMISSED IN ITS ENTIRETY** and **JUDGMENT IS ENTERED IN FAVOR OF THE DEFENDANT**.

It is so **ORDERED**.

This is a final judgment for purposes of Fed. R. Civ. P. 58, from which an appeal may lie.



Thomas A. Wiseman, Jr.  
Senior U.S. District Judge